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PTO/SB/81 (02-01)

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Application Number	10/037,085
Filing Date	December 20, 2001
First Named Inventor	Kenneth M. Maxham
Group Art Unit	2874
Examiner Name	Not Assigned
Attorney Docket Number	CIE-0063 (21216-05666)

I hereby appoint:

Practitioners at Customer Number

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<input checked="" type="checkbox"/> Firm or Individual Name	CIENA Corporation			
Address	1201 Winterson Road			
Address				
City	Linthicum,	State	MD	Zip 21090
Country	USA			
Telephone	410-694-5763	Fax	410-865-8001	

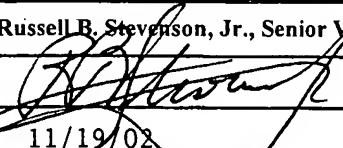
I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

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SIGNATURE of Applicant or Assignee of Record

Name	Russell B. Stevenson, Jr., Senior Vice President and General Counsel
Signature	
Date	11/19/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

*Total of One (1) forms are submitted.

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DEC 02 2002

STATEMENT UNDER 37 CFR 3.73(b)Applicant: Kenneth M. MaxhamApplication No.: 10/037,085Filed: December 20, 2001Entitled: System and Method for Selecting the Placement of Optical Amplifiers in an Optical NetworkCIENA Corporation, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____ Frame _____, or for which a copy thereof is attached.

OR

B. [/] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: ONI Systems Corp. To: CIENA CorporationThe document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.2. From: Kenneth Mark Maxham To: ONI Systems Corp.The document was recorded in the Patent and Trademark Office at
Reel 012714, Frame 0319, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[/] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

11/19/02

Date

Signature

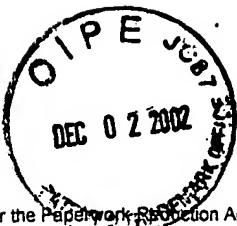
Russell B. Stevenson, Jr.

Typed or printed name

Senior Vice President and General Counsel

Title

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PTO/SB/92 (08-02)

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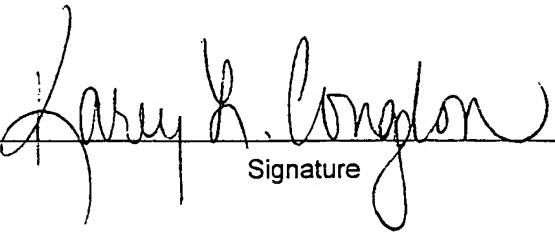
Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on September 10, 2002

Date


Signature

Karey L. Congdon

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**RECORDATION FORM COVER SHEET
PATENTS ONLY**

Item No. 4, Continued:

A. Patent Application Nos.

10/153,230 09/660,388

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"ONI SYSTEMS CORP.", A DELAWARE CORPORATION,
WITH AND INTO "CIENA CORPORATION" UNDER THE NAME OF "CIENA CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIRST DAY OF JUNE, A.D. 2002, AT 1:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-FIRST DAY OF JUNE, A.D. 2002, AT 11:59 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

2314539 8100M

020402001

AUTHENTICATION: 1845589

DATE: 06-21-02

**CERTIFICATE OF MERGER
OF**

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 01:30 PM 06/21/2002
020402001 - 2314539

**ONI SYSTEMS CORP.,
a Delaware Corporation
WITH AND INTO
CIENA CORPORATION,
a Delaware Corporation**

The undersigned corporation DOES HEREBY CERTIFY:

FIRST: That the name and state of incorporation of each of the constituent corporations of the merger is as follows:

<u>NAME</u>	<u>STATE OF INCORPORATION</u>
CIENA Corporation	Delaware
ONI Systems Corp.	Delaware

SECOND: That an agreement of merger between the constituent corporations has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 251 of the General Corporation Law of the State of Delaware.

THIRD: That the name of the surviving corporation of the merger is CIENA Corporation.

FOURTH: That the certificate of incorporation of CIENA Corporation, a Delaware corporation, the surviving corporation, shall be the certificate of incorporation of the surviving corporation.

FIFTH: That the executed agreement of merger is on file at the principal place of business of the surviving corporation. The address of the principal place of business of the surviving corporation is 1201 Winterson Road, Linthicum, MD 21090.

SIXTH: That a copy of the agreement of merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of each of the constituent corporations.

SEVENTH: The effective date of the merger shall be as of 11:59 p.m. Eastern Time on June 21, 2002.

IN WITNESS WHEREOF, CIENA Corporation, a Delaware corporation, has caused this certificate to be signed by Russell B. Stevenson, Jr., its Senior Vice President, General Counsel and Secretary, an authorized officer of the corporation, this 21st day of June, 2002.

CIENA Corporation,
a Delaware corporation

By:


Russell B. Stevenson, Jr.
Senior Vice President, General
Counsel and Secretary



CIENA Corporation
CIE-0000

Please acknowledge receipt of the Recordation Form Cover Sheet (2 pages);
Certificate of Merger (3 pages); Authorization to Charge Deposit Account No.
06-1130; Certificate of Mailing; and Postcard receipt.

Mailed to the United States Patent and Trademark Office via 1st Class Mail
on September 10, 2002.

Received in the USPTO on: